

***Remarks***

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-19, 66, 68 and newly submitted claims 71-72 are pending in the application, with claims 1, 71 and 72 being the independent claims. Claim 1 has been amended to more clearly point out and distinctly claim the subject matter of the present invention. Claims 71 and 72 have been added to set forth other aspects of the invention. Descriptive support for the amendment and newly submitted claims is found in the specification at least on pages 12, 13-14 and paragraph 2 of page 16, as well as in the drawings. The amendment introduces no new matter and its entry is respectfully requested.

Claims 1, 2, 4-10, 12-17, 19, 66 and 68 stands rejected under 35 U.S.C. § 103(a) as obvious over Drevfors (US 6,256,964, hereafter Drevfors) in view of Helmut (US 5,860,461, hereafter Helmut). Claims 3, 11 and 18 stand rejected under §103(a) as obvious over Drevfors in view of Helmut and further in view of Applicant's Admitted Prior Art (hereafter AAPA).

Based on the above amendments and the following Remarks, Applicants respectfully request the reconsideration of the outstanding rejections.

In the office action dated 01/18/2007, the Examiner states, "it is construed that that the filling location comprises station D and station E as disclosed in Fig. 1 of Drevfors." (page 3 of the office action) Notwithstanding the propriety of such an interpretation of Drevfors, claim 1 has now been amended to explicitly set forth that the sterilizing vapours are removed at the same location that the package is filled with a product and that the package is not further displaced to the filling location. Drevfors clearly shows in figure 1 that the package must be transported from station D to station E to permit filling. Further, column 4, lines 50-58 of Drevfors recite,

Hereby, the sterilization agent will, in a known manner, be vaporized and depart from the interior of the packaging container. The pipe 10 is preferably provided with a surrounding sleeve entrapping and leading off the vaporised sterilisation agent. After completed sterilisation, the pertinent packaging container is displaced to station E, where a vertically movable filler pipe 11 is lowered into the packaging container and connected to a source of the intended contents.

Therefore, Drevfors teaches away from the present invention by requiring displacement to another location after the vapours have been discharged from the bottle. The present invention removes the sterilization vapours at the same location that the package is filled through valve (10), thereby reducing contamination risks.

Newly submitted Claim 71 sets forth features that permit the novel apparatus and method of the present invention to be practiced on convention packages and to be applied to current high-speed filling technology, not requiring the specialized devices of Helmut and packages with multiple openings. Claim 72 recites the enclosure shown in figure 3.

Claims 2-19, 66 and 68 depend from claim 1 and, while setting forth other novel features, are allowable for at least the reasons discussed above with respect to claim 1.

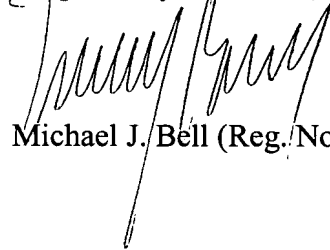
In view of the aforementioned amendments and explanation regarding the rejections, it is requested that the rejections be withdrawn and the claims permitted to issue.

***Conclusion***

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants believe that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michael J. Bell', written over a horizontal line.

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